

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

PATRICK BUSH,

Petitioner,

vs.

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM DECISION AND
ORDER DENYING PETITIONER'S
MOTION FOR RECONSIDERATION
AND DIRECTING FURTHER
BRIEFING

Civil Case No. 2:05-CV-646 TS

Criminal Case No. 2:01-CR-739 TS

This matter is before the Court on Petitioner's Motion for Reconsideration¹ and Petitioner's Amendment and Supplement to Motion for Reconsideration.² In his Motion for Reconsideration, Petitioner reargues the points addressed by the Court in its August 7, 2007 Order.³ For the same reasons set forth in that Order, Petitioner's Motion for Reconsideration is denied.

¹Docket No. 16

²Docket No. 18.

³Docket No. 13.

For the first time in his Amendment and Supplement to Motion for Reconsideration, Petitioner raises an issue concerning the potential misconduct of a juror involved in his trial. Petitioner asserts that a juror lied about his prior drug use during the voir dire process. Petitioner alleges that his counsel was informed of this issue while Petitioner's case was on direct appeal, but did not take any action. Because this issue was not previously raised by the Petitioner and has not been addressed by the Court, further briefing is required.


It is therefore

ORDERED that Petitioner's Motion for Reconsideration (Docket No. 16) is DENIED. It is further

ORDERED that the government respond to Petitioner's Amendment and Supplement to Motion for Reconsideration (Docket No. 18) within thirty (30) days. Petitioner may file a reply fifteen (15) days thereafter.

DATED this 5th day of November, 2007.

BY THE COURT:



TED STEWART
United States District Judge